

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GEORGIA ARGYRIS,

Plaintiff,

-against-

BOARD OF EDUCATION OF THE CITY SCHOOL
DISTRICT OF THE CITY OF NEW YORK, and JOEL
KLEIN, as Chancellor of the City School District of the
City of New York,

Defendants.

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ANSWER

07 CV 9623 (DC)

Defendants by their attorney, Michael A. Cardozo, Corporation Counsel of the
City of New York, for their Answer to the Complaint, respectfully allege as follows:

1. Deny the allegations set forth in paragraph "1" of the complaint, except admit that plaintiff purports to proceed as set forth therein.
2. Deny the allegations set forth in paragraph "2" of the complaint.
3. Deny the allegations set forth in paragraph "3" of the complaint, except admit that plaintiff purports to proceed as set forth therein.
4. Deny the allegations set forth in paragraph "4" of the complaint and respectfully refer the Court to the statutes cited therein for a complete and accurate statement of their content.
5. Deny the allegations set forth in paragraph "5" of the complaint and respectfully refer the Court to the statutes referred to for a complete and accurate statement of their contents.
6. Deny the allegations set forth in paragraph "6" of the complaint.

7. Deny the allegations set forth in paragraph "7" of the complaint and respectfully refer the Court to the statute referred to for a complete and accurate statement of its content.

8. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "8" of the complaint.

9. Deny the allegations set forth in paragraph "9" of the complaint.

10. Deny the allegations set forth in paragraph "10" of the complaint, except admit that the New York City Department of Education ("DOE") is a municipal corporation with offices located at 52 Chambers Street, New York, NY 10007 and respectfully refer the Court to Article 52A of the New York State Education Law for a statement setting forth the function of the DOE.

11. Deny the allegations set forth in paragraph "11" of the complaint, except admit that Joel Klein is employed as the Chancellor for the New York City Department of Education and respectfully refer the Court to Education Law § 2590-h for the powers and duties of the Chancellor.

12. Deny the allegations set forth in paragraph "12" of the complaint, except admit that plaintiff was appointed as a probationary teacher on or about September 1997.

13. Admit the allegations set forth in paragraph "13" of the complaint.

14. Deny the allegations set forth in paragraph "14" of the complaint, except admit upon information and belief, that plaintiff completed her three year probationary period.

15. Deny the allegations set forth in paragraph "15" of the complaint.

16. Deny the allegations set forth in paragraph "16" of the complaint.

17. Deny the allegations set forth in paragraph "17" of the complaint, except admit, upon information and belief, that plaintiff was reassigned to the Manhattan Regional Operation Center on or about October 26, 2004.

18. Deny the allegations set forth in paragraph "18" of the complaint, except admit upon information and belief, that plaintiff returned to P.S./I.S. 50 in September 2006.

19. Deny the allegations set forth in paragraph "19" of the complaint.

20. Deny the allegations set forth in paragraph "20" of the complaint, except admit upon information and belief, that a Notice of Hearing dated February 10, 2006 was sent to plaintiff.

21. Deny the allegations set forth in paragraph "21" of the complaint, and respectfully refer the Court to the Article of the Collective Bargaining Agreement referred to for a complete and accurate statement of its contents.

22. Deny the allegations set forth in paragraph "22" of the complaint, except admit, upon information and belief, that plaintiff entered into a stipulation of settlement dated March 9, 2006, and respectfully refer the Court to the stipulation of settlement for a complete and accurate statement of its contents.

23. Deny the allegations set forth in paragraph "23" of the complaint.

24. Deny the allegations set forth in paragraph "24" of the complaint.

25. Deny the allegations set forth in paragraph "25" of the complaint.

26. Deny the allegations set forth in paragraph "26" of the complaint, except admit that plaintiff was examined by the Medical Bureau and affirmatively state that plaintiff failed to timely submit required documentation requested by the Medical Bureau.

27. Admit the allegations set forth in paragraph "27" of the complaint.

28. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "28" of the complaint.

29. Deny the allegations set forth in paragraph "29" of the complaint.

30. Deny the allegations set forth in paragraph "30" of the complaint.

31. Deny the allegations set forth in paragraph "31" of the complaint.

32. Deny the allegations set forth in paragraph "32" of the complaint.

33. Deny the allegations set forth in paragraph "33" of the complaint.

34. Deny the allegations set forth in paragraph "34" of the complaint, except deny knowledge or information sufficient to form a belief as to the truth of the allegations concerning plaintiff's efforts to find comparable employment.

35. In response to the allegations set forth in paragraph "35" of the complaint, defendants repeat and re-allege each and every response set forth above to paragraphs "1" through "34" of the complaint.

36. Deny knowledge or information sufficient to form a belief as to the truth of the allegations set forth in paragraph "36" of the complaint and respectfully refer the Court to the statutes referred to for a complete and accurate statement of their contents.

37. Deny the allegations set forth in paragraph "37" of the complaint and respectfully refer the Court to the statute referred to for a complete and accurate statement of its content, except admit upon information and belief, that the DOE is an employer as defined by FMLA 29 USC § 2611(4).

38. Deny the allegations set forth in paragraph "38" of the complaint and respectfully refer the Court to the statute referred to for a complete and accurate statement of its content.

39. Deny the allegations set forth in paragraph "39" of the complaint and respectfully refer the Court to the statute referred to for a complete and accurate statement of its content, and affirmatively state that plaintiff is not an "eligible employee" as defined by FMLA, 29 USC § 2611(2), because plaintiff did not work at least 1,250 hours of service during the previous 12 month period. Plaintiff's hours worked the preceding 12 months of when the leave was requested is annexed hereto as Exhibit "A."

40. Deny the allegations set forth in paragraph "40" of the complaint.

41. Deny the allegations set forth in paragraph "41" of the complaint and respectfully refer the Court to the statute referred to for a complete and accurate statement if its content.

42. Deny the allegations set forth in paragraph "42" of the complaint and respectfully refer the Court to the statutes referred to for a complete and accurate statement of their contents.

43. Deny the allegations set forth in paragraph "43" of the complaint.

44. Deny the allegations set forth in paragraph "44" of the complaint.

45. In response to the allegations set forth in paragraph "45" of the complaint, defendants repeat and re-allege each and every response set forth above to paragraphs "1" through "44" of the complaint.

46. Deny the allegations set forth in paragraph "46" of the complaint.

47. In response to the allegations set forth in paragraph "47" of the complaint, defendants repeat and re-allege each and every response set forth above to paragraphs "1" through "46" of the complaint.

48. Deny the allegations set forth in paragraph "48" of the complaint.

49. Deny the allegations set forth in paragraph "49" of the complaint and respectfully refer the Court to Article I, § 6 of the New York State Constitution for a complete and accurate statement of its content.

50. Deny the allegations set forth in paragraph "50" of the complaint.

51. In response to the allegations set forth in paragraph "51" of the complaint, defendants repeat and re-allege each and every response set forth above to paragraphs "1" through "50" of the complaint.

52. Deny the allegations set forth in paragraph "52" of the complaint and affirmatively state that this paragraph contains legal arguments, rather than factual allegations, and that no response is required thereto.

53. Deny the allegations set forth in paragraph "53" of the complaint.

FOR A FIRST DEFENSE:

54. The complaint fails to state a claim upon which relief can be granted.

FOR A SECOND DEFENSE:

55. The plaintiff is not an "eligible employee" as defined by FMLA, 29 USC § 2611(2), because plaintiff did not work at least 1,250 hours of service during the previous 12 month period. See Exhibit "A" annexed hereto.

FOR A THIRD DEFENSE:

56. Defendants have not violated any rights, privileges or immunities under the Constitution or laws of the United States or the State of New York or any political subdivision thereof.

FOR A FOURTH DEFENSE:

57. The Chancellor is not plaintiff's employer within the meaning of the FMLA and, therefore, all such claims against him must be dismissed.

FOR A FIFTH DEFENSE:

58. All of plaintiff's state law claims are barred because of plaintiff's failure to file a timely notice of claim under Education Law § 3813.

FOR A SIXTH DEFENSE:

59. The individually named defendant is immune under the doctrine of qualified immunity.

FOR A SEVENTH DEFENSE:

60. Plaintiff's claim for front and/or back pay are barred by her failure to mitigate damages.

FOR AN EIGHTH DEFENSE

61. Complaint must be dismissed because plaintiff has failed to name and serve a necessary party to this action.

FOR A NINTH DEFENSE

62. All of plaintiff's state law claims are barred by the applicable statute of limitations.

WHEREFORE, defendants request judgment dismissing the complaint and denying all relief requested therein, together with such other and further relief as the Court deems just and proper.

Dated: New York, New York
January 22, 2008

MICHAEL A. CARDOZO
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street, Room 2-107
New York, New York 10007
(212) 442-0144

By:



Robyn Silvermintz
Assistant Corporation Counsel
rsilverm@law.nyc.gov

EXHIBIT A

USER: DFUTPT6 NYC PUBLIC SCHOOLS EMPLOYEE INFORMATION SYSTEM EILM751
 01/22 17:06 TIME AND ATTENDANCE INQUIRY

EIS ID: 0719864 SSN: 377960797 NAME: GEORGIA ARGYRIS
 FROM DATE: 10 01 2005 TO DATE: 10 15 2006

EARNED DATE	EVENT CODES	EVENT DESCRIPTION	EVENT DY	TIME HRS	RECORD MIN	STATUS	ENTERED DATE	USER ID
10/31/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
10/31/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
10/28/05	50U00	ABSENCE UNAUTH	0	2	41	C P SG	01/30/06	EDAWSON
10/28/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
10/27/05	41A00	SELF TREATED	0	1	17	C P AJ	01/30/06	EDAWSON
10/26/05	41A00	SELF TREATED	0	1	24	C P AJ	01/30/06	EDAWSON
10/25/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
10/24/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
10/21/05	49AAC	FRACTIONAL ABS	0	1	29	C P AJ	01/30/06	EDAWSON
10/20/05	49AAC	FRACTIONAL ABS	0	2	31	C P AJ	01/30/06	EDAWSON
10/19/05	49AAC	FRACTIONAL ABS	0	0	55	C P AJ	01/30/06	EDAWSON
10/18/05	49AAC	FRACTIONAL ABS	0	1	26	C P AJ	01/30/06	EDAWSON
10/17/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
10/14/05	49AAC	FRACTIONAL ABS	0	1	32	C P AJ	01/30/06	EDAWSON
10/12/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
10/11/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
10/07/05	49AAC	FRACTIONAL ABS	0	2	38	C P AJ	01/30/06	EDAWSON
10/06/05	49AAC	FRACTIONAL ABS	0	1	19	C P AJ	01/30/06	EDAWSON
10/03/05	49AAC	FRACTIONAL ABS	0	1	10	C P AJ	01/30/06	EDAWSON

NO MORE ITEMS TO DISPLAY

USER: DFLPT6 NYC PUBLIC SCHOOLS EMPLOYEE INFORMATION SYSTEM E11M751
 01/22 17:06 TIME AND ATTENDANCE INQUIRY

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12/23/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/23/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/22/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/22/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/21/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/21/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/20/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/20/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/19/05	49AAC	FRACTIONAL ABS	0	0	36	C P AJ	01/30/06	EDAWSON
12/16/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/16/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/15/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/15/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/14/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/14/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/13/05	49AAC	FRACTIONAL ABS	0	2	10	C P AJ	01/30/06	EDAWSON
12/12/05	49AAC	FRACTIONAL ABS	0	1	13	C P AJ	01/30/06	EDAWSON
12/09/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/09/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/08/05	49AAC	FRACTIONAL ABS	0	1	19	C P AJ	01/30/06	EDAWSON
12/07/05	49AAC	FRACTIONAL ABS	0	0	51	C P AJ	01/30/06	EDAWSON
12/06/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/06/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/05/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/05/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/02/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/02/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
12/01/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
12/01/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
11/30/05	49AAC	FRACTIONAL ABS	0	2	5	C P AJ	01/30/06	EDAWSON
11/29/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
11/29/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
11/28/05	50U00	ABSENCE UNAUTH	0	2	6	C P SG	01/30/06	EDAWSON
11/28/05	41A00	SELF TREATED	0	2	6	C P AJ	01/30/06	EDAWSON
11/23/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
11/23/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
11/22/05	49AAC	FRACTIONAL ABS	0	2	55	C P AJ	01/30/06	EDAWSON
11/21/05	49A00	LATENESS	0	0	17	C P AJ	01/30/06	EDAWSON
11/18/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
11/18/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
11/17/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
11/17/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
11/15/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
11/15/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
11/14/05	49A00	LATENESS	0	0	6	C P AJ	01/30/06	EDAWSON
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11/08/05	41A00	SELF TREATED	0	1	8	C P AJ	01/30/06	EDAWSON
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11/04/05	49AAC	FRACTIONAL ABS	0	0	33	C P AJ	01/30/06	EDAWSON
11/03/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
11/03/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
11/02/05	50U00	ABSENCE UNAUTH	1	0	0	C P SG	01/30/06	EDAWSON
11/02/05	41A00	SELF TREATED	1	0	0	C P AJ	01/30/06	EDAWSON
11/01/05	49AAC	FRACTIONAL ABS	0	2	15	C P AJ	01/30/06	EDAWSON

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01/31/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/30/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/30/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/27/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/27/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/26/06	49AAC	FRACTIONAL ABS	0	1	14	C P AJ	02/08/06	EDAWSON
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01/24/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/24/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/23/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/23/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/20/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/20/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/19/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/19/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/18/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/18/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/17/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/17/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/13/06	49AAC	FRACTIONAL ABS	0	1	43	C P AJ	02/08/06	EDAWSON
01/12/06	49AAC	FRACTIONAL ABS	0	1	22	C P AJ	02/08/06	EDAWSON
01/11/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/11/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/10/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	02/08/06	EDAWSON
01/10/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/06/06	49AAC	FRACTIONAL ABS	0	0	47	C P AJ	02/08/06	EDAWSON
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01/05/06	41A00	SELF TREATED	1	0	0	C P AJ	02/08/06	EDAWSON
01/04/06	49AAC	FRACTIONAL ABS	0	1	12	C P AJ	02/08/06	EDAWSON
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03/10/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	05/02/06	EDAWSON
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03/09/06	49AAC	FRACTIONAL ABS	0	1	15	C P AJ	05/02/06	EDAWSON
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/09/06	49AAB	FRA ABS DED/RG	1	0	0	C P SG	05/24/06	EBX7J
03/08/06	49AAC	FRACTIONAL ABS	0	1	15	C P AJ	05/02/06	EDAWSON
03/07/06	49AAC	FRACTIONAL ABS	0	1	15	C P AJ	05/02/06	EDAWSON
03/06/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	05/02/06	EDAWSON
03/06/06	41A00	SELF TREATED	1	0	0	C P AJ	05/02/06	EDAWSON
03/03/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	05/02/06	EDAWSON
03/03/06	41A00	SELF TREATED	1	0	0	C P AJ	05/02/06	EDAWSON
03/02/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	05/02/06	EDAWSON
03/02/06	41A00	SELF TREATED	1	0	0	C P AJ	05/02/06	EDAWSON
03/01/06	49AAC	FRACTIONAL ABS	0	1	15	C P AJ	05/02/06	EDAWSON
02/28/06	49AAC	FRACTIONAL ABS	0	1	43	C P AJ	03/14/06	EDAWSON
02/27/06	49AAC	FRACTIONAL ABS	0	1	2	C P AJ	03/14/06	EDAWSON
02/17/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/17/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/16/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/16/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/15/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/15/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/14/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/14/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/13/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/13/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/10/06	49AAC	FRACTIONAL ABS	0	1	23	C P AJ	03/14/06	EDAWSON
02/09/06	49AAC	FRACTIONAL ABS	0	1	32	C P AJ	03/14/06	EDAWSON
02/08/06	49AAC	FRACTIONAL ABS	0	1	30	C P AJ	03/14/06	EDAWSON
02/07/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/07/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/06/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/06/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/03/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/03/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/02/06	50U00	ABSENCE UNAUTH	1	0	0	C P SG	03/14/06	EDAWSON
02/02/06	41A00	SELF TREATED	1	0	0	C P AJ	03/14/06	EDAWSON
02/01/06	49AAC	FRACTIONAL ABS	0	0	47	C P AJ	03/14/06	EDAWSON


USER: DFLTPT6 NYC PUBLIC SCHOOLS EMPLOYEE INFORMATION SYSTEM E11M751
 01/22 17:06 TIME AND ATTENDANCE INQUIRY

EIS ID: 0719864 SSN: 377960797 NAME: GEORGIA ARGYRIS
 FROM DATE: 10 01 2005 TO DATE: 10 15 2006



EARNED DATE	EVENT CODES	EVENT DESCRIPTION	EVENT DY	TIME HRS	RECORD MIN	STATUS	ENTERED DATE	USER ID
10/06/06	49A00	LATENESS	0	0	7	C P AJ	11/02/06	EDAWSON
10/05/06	49A00	LATENESS	0	0	2	C P AJ	11/02/06	EDAWSON
09/26/06	41B00	MED. CERT. SICK	1	0	0	C P AJ	10/17/06	EDAWSON
09/25/06	41B00	MED. CERT. SICK	1	0	0	C P AJ	10/17/06	EDAWSON
09/22/06	49A00	LATENESS	0	0	2	C P AJ	10/17/06	EDAWSON
09/21/06	49A00	LATENESS	0	0	15	C P OS	09/21/06	EDAWSON
09/20/06	49A00	LATENESS	0	0	2	C P OS	09/21/06	EDAWSON
09/19/06	49A00	LATENESS	0	0	5	C P OS	09/21/06	EDAWSON
09/14/06	49A00	LATENESS	0	0	5	C P AJ	09/21/06	EDAWSON
09/13/06	41A00	SELF TREATED	1	0	0	C P OS	09/18/06	EDAWSON
09/12/06	41A00	SELF TREATED	1	0	0	C P OS	09/18/06	EDAWSON
09/11/06	41A00	SELF TREATED	1	0	0	C P OS	09/11/06	EDAWSON
09/08/06	41A00	SELF TREATED	1	0	0	C P AJ	11/02/06	EDAWSON

Georgla Argyris

FMLA eligibility worksheet



total annual hours for F/T teacher **1,141**
Argyris' total hours absent/late **321**Argyris' total hours in 05-06 **820**# of hours below eligibility **430****attendance during 1 year eligibility period prior to 10/11/06 FMLA application**

<i>absent</i>	<i>late (min)</i>
	
Tuesday, October 11, 2005 *	Friday, October 14, 2005 92
Wednesday, October 12, 2005 *	Tuesday, October 18, 2005 86
Monday, October 17, 2005 *	Wednesday, October 19, 2005 55
Monday, October 24, 2005 *	Thursday, October 20, 2005 151
Tuesday, October 25, 2005 *	Friday, October 21, 2005 89
Wednesday, October 26, 2005 *	Tuesday, November 01, 2005 135
Thursday, October 27, 2005 *	Friday, November 04, 2005 33
Friday, October 28, 2005 *	Monday, November 07, 2005 53
Monday, October 31, 2005 *	Wednesday, November 09, 2005 111
Wednesday, November 02, 2005 *	Thursday, November 10, 2005 108
Thursday, November 03, 2005 *	Monday, November 14, 2005 6
Tuesday, November 08, 2005 *	Monday, November 21, 2005 17
Tuesday, November 15, 2005 *	Tuesday, November 22, 2005 175
Thursday, November 17, 2005 *	Wednesday, November 30, 2005 125
Friday, November 18, 2005 *	Wednesday, December 07, 2005 51
Wednesday, November 23, 2005 *	Thursday, December 08, 2005 79
Monday, November 28, 2005 *	Monday, December 12, 2005 73
Tuesday, November 29, 2005 *	Tuesday, December 13, 2005 130
Thursday, December 01, 2005 *	
Friday, December 02, 2005 *	
Monday, December 05, 2005 *	
Tuesday, December 06, 2005 *	
Friday, December 09, 2005 *	
Wednesday, December 14, 2005 *	
Thursday, December 15, 2005 *	
Friday, December 16, 2005 *	
Tuesday, December 20, 2005 *	
Wednesday, December 21, 2005 *	
Thursday, December 22, 2005 *	
Friday, December 23, 2005 *	
Friday, December 23, 2005 *	
Thursday, January 05, 2006 *	

Tuesday, January 10, 2006 *
Wednesday, January 11, 2006 *
Tuesday, January 17, 2006 *
Wednesday, January 18, 2006 *
Thursday, January 19, 2006 *
Friday, January 20, 2006 *
Monday, January 23, 2006 *
Tuesday, January 24, 2006 *
Friday, January 27, 2006 *
Monday, January 30, 2006 *
Tuesday, January 31, 2006 *
Wednesday, February 01, 2006 *
Thursday, February 02, 2006 *

<i>total absences</i>	45
<i>total hours absent</i>	285

Monday, December 19, 2005	36
Tuesday, January 03, 2006	108
Wednesday, January 04, 2006	72
Friday, January 06, 2006	47
Thursday, January 12, 2006	82
Friday, January 13, 2006	103
Wednesday, January 25, 2006	70
Thursday, January 26, 2006	74
<i>total minutes</i>	2,161
<i>hours</i>	36

* *self-treated day*

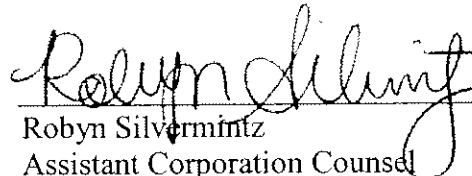
CERTIFICATE OF SERVICE

I hereby certify that, on January 22, 2008, I caused a true and correct copy of the foregoing Answer to be served by mail on Melinda G. Gordon, attorney for Georgia Argyris, at her office at 52 Broadway, 9th Floor, New York, NY 10004-1614

Dated: New York, New York
January 22, 2008

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By:


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